

Breast Cancer Treatment -- Physician Responsibilities

Acts 1999, No. 199 of the Regular Session of the Louisiana Legislature, charged the Louisiana Department of Health and Hospitals ("DDH"), in consultation with the Louisiana Cancer and Lung Trust Fund Board, to develop a written summary addressing breast cancer treatment alternatives. The summary was required to be written in layman's language and provide: (i) information regarding alternative methods of treatment; (ii) available telephone numbers to allow breast cancer patients to obtain current information; (iii) a discussion of breast cancer reconstructive surgery; and (iv) statistics on the incidence of breast cancer. The law and the rules recently adopted by DHH to establish the content of the summary and manner of its distribution to physicians, charge the Board with disseminating the summary through several methods, i.e., its Newsletter, with license renewals in the year 2001 and in subsequent years to all new licensees and to make additional copies of the summary available to physicians upon request. The law specifically provides:

On and after July 1, 2000, a treating physician or surgeon shall inform his patient diagnosed with any form of breast cancer of the alternative efficacious methods of treatment by discussing such alternative methods of treatment with his patient and by providing his patient with the summary as provided in this Part. If the treating physician or surgeon informs his patient of the alternative methods of treatment and provides his patient with the summary prior to the performance of a biopsy to determine whether or not his patient has breast cancer, the requirement to inform and to provide the summary to a patient diagnosed with breast cancer shall be deemed to have been met. La. Rev. Stat. §40:1300.154A.

Each physician is required to document in the patient chart the date and time that he discussed alternative treatment with his patient and provided a copy of the written summary. A physician's failure to adhere to the law's requirements constitutes unprofessional conduct and provides cause for the Board to take action against his license pursuant to La. Rev. Stat. §37:1285.

For free printed 8 ½" X 11" copies, go to www.lsbme.org. Tri-fold brochures may be ordered from the Louisiana State Board of Medical Examiners at a cost of \$15.10 (\$13.00 per 25 plus postage and handling \$2.10). Send check or money order and written request to Louisiana State Board of Medical Examiners, ATTN: Cancer Treatment Brochure, P.O. Box 54403, New Orleans, LA 70154-4403.

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